

State of Utah                    )  
   : ss.  
County of Daggett            )

Troy A. Gale, being first duly sworn, deposes and states as follows:

1.       I am an adult competent to testify about the matters set forth below based upon my personal knowledge.

D28

2.       I have observed the road that Daggett County has designated as Road D28 since 1974, and the road descriptions herein pertain to that road. It is located in the northeastern corner of Utah, in the Clay Basin.

3.       I am familiar with the indicated road, because I was born in Vernal, Utah in 1965, have lived in eastern and northeastern Utah all of my life and presently live in Dutch John, Utah, near the Clay Basin, where the road is located. In addition, I have been employed by Mountain Fuel Supply Company and its successor in interest, Questar Pipeline Company, continuously since 1984 at the company's Kastler Station, where I currently serve as Crew Foreman. Kastler Station is located in the Clay Basin approximately one mile north of Daggett County Road D28. I have observed and traveled the road many times in the last twenty years.

4.       The road begins on the south end at its intersection with Brown's Park Road. It proceeds northeast for about a half mile and then turns 90 degrees and proceeds northwest for about one and one-half miles, ending at Clay Basin Camp.

5. I first observed the road in 1974, as a boy, when I traveled it while hunting with my father. I also recall traveling the road to visit relatives and friends who lived at the Clay Basin Camp. 6. A stated above, I have been employed by Mountain Fuel Supply Company and its successor in interest, Questar Pipeline Company, continuously since 1984 at its Kastler Station facility, where I currently serve as Crew Foreman. Questar operates gas production and storage wells in the Clay Basin Field. I have been personally familiar with the construction and maintenance activities on the roads used for well service access in the Clay Basin Field for the past twenty years, including Daggett County Road D28.

7. From the time I first traveled the road in 1974, I observed evidence of construction, including grading, addition of gravel, berms, ditches culverts and disturbed areas at the sides of the road.

8. As Crew Foreman for Mountain Fuel Supply Company and Questar Pipeline Company, I have been personally familiar with construction and maintenance activities on the road. Such activities have included blading with a road grader on an annual basis, addition of gravel, dragging of the road surface with pipes pulled behind well service vehicles on a monthly basis, and periodic installation, repair and cleaning work on culverts as needed. As culverts have been maintained and repaired on this and other roads in the Clay Basin, I have observed evidence of the construction of wooden bridges from years past. These bridges have been subsequently replaced by culvert pipes.

9. By my observation, the road has been open to the public for all to use, to come and go as they please, from 1974 until the present. I have never known the road to be closed.

10. Since before I first observed it in 1974 and continuing to the present, the road has been used for gas exploration and development, including frequent travel by large tanker trucks and trucks hauling drilling and well service equipment. It has also been used for access to grazing allotments in the Clay Basin by area ranchers. In particular, I am aware that the Dickinson Family has grazed livestock on the land surrounding the road for many years. The road has also been used for hunting, transportation to and from the Clay Basin Camp by residents and visitors, and transportation from the Clay Basin north to Rock Springs, Wyoming, and south to Vernal, Utah. I personally have observed the aforementioned uses.

11. By my personal observation, travelers on the road from 1974 and continuing thereafter have included those who traveled by horseback, cars, recreational vehicles and trucks of all sizes.

12. When I first traveled the road in 1974 it ran the same route as it does today and was well established. The entire road is approximately two miles long and the width of the traveled portion is approximately twenty-two feet for most of its length, but ranges from twenty to twenty-five feet. There is a 15 MPH speed limit sign near the north end of the road to warn travelers to slow down as they enter the residential area of Clay Basin Camp. In the same vicinity there is also a caution sign warning motorists that children may be playing. Along the road there are typically berms, ditches and disturbed areas approximately ten feet wide on each side of the traveled road surface to facilitate maintenance and drainage. There are also occasional culverts for drainage. The surface of the road is native dirt, with gravel added and graded in.

13. From my review of Questar Pipeline Company's records, I am aware that the road designated as Daggett County Road D28 was first constructed to provide access to the first wells drilled in the Clay Basin Field in the late 1920s.

Dated this \_\_\_\_\_ day of September, 2004.

\_\_\_\_\_  
Troy A. Gale

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of September, 2004.

\_\_\_\_\_  
Notary Public

Residing at: \_\_\_\_\_